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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/623,597	07/22/2003	Chin-Chung Lien	4006-260	5838

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BERKELEY LAW & TECHNOLOGY GROUP, LLP  
17933 NW Evergreen Parkway, Suite 250  
BEAVERTON, OR 97006

EXAMINER
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SAFAIPOUR, HOUSHANG

ART UNIT	PAPER NUMBER
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2625

MAIL DATE	DELIVERY MODE
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09/28/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/623,597

Applicant(s)

LIEN, CHIN-CHUNG

Examiner

Houshang Safaipour

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2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7, 11-13 and 17 is/are rejected.
- 7) ☒ Claim(s) 8-10 and 14-16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 July 2007 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-7, 11-13 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hung (US 6,582,088) and further in view of Sheng (US 6,144,475).

Regarding claim 1, Hung discloses an optical path device, installed in an optical device, and the optical path device comprising:

a light source, used to provide the optical path device an incident light (col. 2, line 61);

a reflection unit, used to reflect the incident light (fig. 8A), wherein the reflection unit comprises first reflection mirror (M2) and a second reflection mirror (M12), a third reflection mirror (M3), and a fourth reflection mirror (M11). The fig. 8A does not show that mirrors (M2, M11 and M12 are parallel. However the use of parallel mirrors in optical scanning devices is well known and routinely implemented in the art as evidenced in (US 6,144,475 and TW 342455). Therefore it would have been obvious to a person of ordinary skill in the art to modify the optical unit of Hung to position mirror M2 in parallel with mirrors M11 and M12 (fig. 8A) in order to obtain a relatively long optical path; and

a lens (250), used to focus the incident light reflected by the reflection unit to form images, wherein, an optical path of the incident light provided by the light source is in sequence: the light source (not shown, col. 2, line 61)-the parallel mirror set (M2 & M12)-the third

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reflection M3) mirror-the parallel mirror set (M2 & M12)-the fourth reflection mirror (M11)-the lens (250).

Regarding claim 2, Hung discloses the optical path device according to claim 1, wherein the third reflection mirror (M3) is an optical path turning mirror (fig. 8A).

Regarding claim 3, Hung discloses the optical path device according to claim 1, wherein the fourth reflection mirror (M11) is an imaging mirror.

Regarding claim 4, Hung discloses the optical path device according to claim 1, wherein the optical device is an optical scanner (col. 1, lines 6-11).

Regarding claims 5 and 17, Hung discloses the optical path device that comprises an original document surface used to deposit a document desired to be scanned (col. 2, line 66 to col. 3 line 2). Hung does not disclose that the original document surface is parallel to the parallel mirror set. Applicant has not disclosed that positioning the original document surface in parallel to the parallel mirror set provides an advantage, is used for a particular purpose or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected Applicant's invention to perform equally well with the surface positioned as taught by Hung or the claimed position.

Regarding claim 6, Hung discloses the optical path device according to claim 5, wherein the incident light provided by the light source is projected to the original document surface first, and then reflected to the parallel mirror set (fig. 8A).

Regarding claim 7, Hung does not show the light source, however, by reviewing fig. 8, it would be obvious to a person of ordinary skill in the art that light incident on the document has

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an angle greater than zero and then reflected as O' (also please refer to Sheng (US 6,144,475) fig. 2).

Regarding claim 11, please refer to the discussions under claim 1. also Hung discloses CCD 290 as shown in fig. 8A.

Regarding claim 12, the combination of Hung and Sheng discloses the optical path device according to claim 11, wherein the third reflection mirror (M3) is an optical path turning mirror, used to turn the incident light reflected from the parallel mirror set and make the incident light reflect into the parallel mirror set again.

Regarding claim 13, the optical path device according to claim 11, wherein the fourth reflection mirror (M11) is an imaging mirror.

### ***Allowable Subject Matter***

3. Claims 8-10 and 14-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Drawings***

4. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because the item numbers are not clearly pointing to the components that they are identifying. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings.

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The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

5. *Contact Information*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Houshang Safaipoor whose telephone number is (571)272-7412. The examiner can normally be reached on Mon.-Fri. from 6:00am to 2:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Houshang Safaipoor  
Patent Examiner  
August 11, 2007

